

### REMARKS/ARGUMENTS

The Office Action mailed February 8, 2005 has been reviewed and carefully considered. Claims 1 and 11 have been amended. Claims 1-12 are pending in this application, with claims 1 and 11 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

In the Office Action mailed February 8, 2005, claims 1-12 stand rejected under 35 U.S.C. §102(b) as anticipated by DE 196 01 270 (Heinz-Guenther).

Each of the independent claim 1 and 11 has been amended to recite the limitation, "each of said first and second pointers comprising a radially extending element arranged above said upper side of said circuit board".

Heinz-Guenther discloses a pointer 4 having a pointing arm and a marking 6 in an aperture 19 in the dial. The marking 6 (see Fig. 1) is an illuminated portion of the aperture. The marking can not be considered to be a "radially extending element" because it is merely an indication. Furthermore, Guenther discloses that the marking is projected from a side of the dial facing away from the observer (see English language abstract of Heinz-Guenther attached hereto).

The Examiner alleges that reference numbers 19 and 24 are the second pointer. As stated above, reference number 19 is an aperture. Reference number 24 appears to be a translucent cover for the aperture 19 which allows the illumination to be seen. Heinz-Guenther fails to teach or suggest "each of said first and second pointers comprising a radially extending element arranged above said upper side of said circuit board". Neither reference character 19 nor 24 can be considered to be a radially extending element arranged above the circuit board. Rather,

the aperture 19 and cover 24 extend circumferentially. Accordingly, independent claims 1 and 11 are not anticipated by Heinz-Guenther.

Dependent claims 2-10 and 12, each being dependent on one of independent claims 1 and 12 is allowable for at least the same reasons as are independent claims 1 and 11.

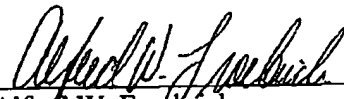
Dependent claim 2 further recites that the shaft of one pointer runs through the shaft of another pointer. The Examiner states that this is shown in Fig. 2 and 3 of Heinz-Guenther. However, these Figures fail to show a shaft running through another shaft. Figs. 2 and 3 of Heinz-Guenther disclose only that the axes of the elements indicated by reference characters 8 and 9 are the same. Accordingly, dependent claim 2 is allowable for at least these additional reasons.

The application is now deemed to be in condition for allowance and notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By   
Alfred W. Froeblich  
Reg. No. 38,887  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

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*Attachment to Amendment for  
Application Ser. No. 10/761,523*

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## Pointer instrument for motor vehicle

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**Publication date:** 1997-07-17  
**Inventor:** WILHELM HEINZ-GUENTHER (DE); HAEHL MANFRED (DE); WOLF HELMUT DR (DE)  
**Applicant:** VDO SCHINDLING (DE)  
**Classification:**  
 - international: B60K35/00; G01D13/00; G12B11/00; G01D5/28  
 - european: B60K35/00, G01D13/26, G12B11/02  
**Application number:** DE19961001270 19960116  
**Priority number(s):** DE19961001270 19960116

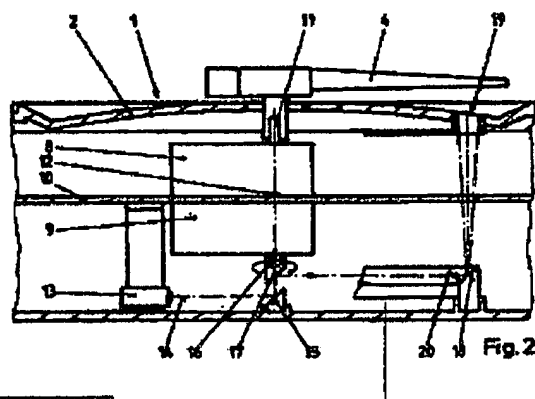
Also published as:

 EP0785416 (A1)  
 EP0785416 (B1)

Abstract not available for DE19601270  
 Abstract of correspondent: EP0785416

The indicating instrument (1) has a pointer (4) and a dial (2) having an arc shaped scale. The pointer is located rotationally at the centre of the instrument. A desired value marking is provided on the dial, and the desired value marking is designed adjustable along the scale using a servo motor (9).

The dial (2) has an arc shaped projection range and the desired value marking is projected from a side of the dial, facing away from the observer, in the projection region. The projection range is an aperture (19), in which the desired value marking can be observed.



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